

## *Statement From Mayor*

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### *Office of Mayor Sam T. Liccardo*

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## **Mayor Statement on CBIA v. San José Decision**

[Click here for a copy of the decision.](#)

"The California Supreme Court has vindicated San José's bold decision to become the largest city in the nation with an inclusionary housing policy, and it couldn't have come at a time of greater need for affordable housing," Mayor Sam T. Liccardo said. "With the crisis we face in our housing markets, I only regret that it required a Supreme Court ruling to uphold the ordinance, because we could have had the benefit of several years of implementation of this important tool,"

Mayor Liccardo also added, "I'm grateful for the hard work of many people for the two years that we battled to make San José the largest city in the nation with a citywide inclusionary housing policy, including our policy director, Ragan Henninger, former Housing Director Leslye Corsiglia, former SVLG Vice President Shiloh Ballard, former Charities Housing Executive Director Chris Block, and former Vice Mayor Judy Chirco."

**This decision allows:**

\* Cities must have a program that sets forth a schedule of actions to assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households.

\* The State Legislature declared affordable housing as "a priority of the highest order" and of "vital statewide importance."

**What this decision means:**

The State has placed the primary burden on local governments to make adequate provisions for the existing and projected housing needs of all economic segments of the community. This decision allows local governments to continue fulfilling their responsibilities.

*Like 70 percent of Bay Area cities and many other local governments in California, San José has used inclusionary zoning as one means to satisfy the state law requirement.*

***Note: many local governments also use inclusionary zoning policies to*** remedy historical exclusion, meet their federally mandated duty to promote integration, and further fair housing.

***Background on the Ordinance***

San José's Inclusionary Housing Ordinance was enacted on Jan. 26, 2010 in response to a serious shortage of affordable housing in San José. It required developers of new residential housing projects of more than 20 units within the City to set aside 15 percent of their units as affordable housing. The CBIA sued San José and other public entities in what appeared to be a coordinated effort to defeat inclusionary housing laws in California.